

### **REMARKS**

Applicant thanks the Examiner for her careful consideration of this application. Applicant now requests reconsideration of this application in view of the above amendments and the following remarks.

Claims 1-3, 5-9, 11-13, 16 and 17 are currently pending in the application, with claims 1, 8, 16, and 17 being independent. Claims 1, 3, 8, 16, and 17 have been amended to improve their wordings, as well as to provide clarifications. Claims 6 and 12 have also been amended.

At the top of page 4 of the Office Action, Claims 6 and 12 are objected to because of certain informalities. These informalities have been addressed in the above amendments.

At the bottom of page 4, Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully submit that Claim 3, as amended, addresses the concerns noted in this rejection.

On page 5, Claims 1, 3 and 6 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Whinnett et al.* (U.S. Patent No. 6,317,411). On page 6, Claims 1, 5, 6, 8, 11 and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Weerackody* (U.S. Patent No. 5,289,499). On the top of page 7, Claims 16 and 17 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Hayashi* (U.S. Patent No. 6,252,864). On the bottom of page 7, Claims 2 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Whinnett et al.* or *Weerackody* as applied to Claims 1 and 8, respectively above, and further in view of *Dabak et al.* (U.S. Patent No. 6,831,943). These rejections are now respectfully traversed for at least the following reasons.

Claims 1, 8, 16, and 17 (i.e., all pending independent claims) have been amended to recite that the despreading/decoding signal is transmitted distinctly from the spread information signal/information-bearing wideband signal. These amendments are supported, e.g., by Figs. 10A-10E (and their related discussion) of the present application. It is respectfully submitted that none of the cited references discloses or suggests such distinct transmission. In fact, it is noted that the rejections rely on an argument of the inherency of the transmission of the

despreading signal as part of the transmitted spread/wideband signal to teach that the despreading signal is coupled to the channel/transmitted at all.

For at least this reason, it is respectfully submitted that Claims 1-3, 5-9, 11-13, 16, and 17 are allowable over the cited references.

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

### **CONCLUSION**

Applicants believe that the above amendments and remarks address all of the grounds for rejection and place this application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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